

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

<b>IN RE:</b>	:	
	:	
<b>EAGLE PROPERTIES AND</b>	:	<b>Case No. 23-10566-KHK</b>
<b>INVESTMENTS, LLC,</b>	:	
	:	<b>Chapter 7</b>
<b>Debtor(s).</b>	:	

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**BANK OF CLARKE’S RESPONSE  
TO THE MOTION FOR TRUSTEE TO SELL PROPERTY FREE AND CLEAR OF LIENS**

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Now comes Bank of Clarke, by and through counsel, and respectfully submits this Response and Reservation of Rights with respect to the *Chapter 7 Trustee’s Motion to Approve Sale of 249 Berkstone Drive, Harrisburg PA Free and Clear of Lis Pendens* [Doc. #529] (the “Motion”), and states as follows:

1. As set forth in the Motion, the Debtor is the record owner of real property located at 249 Berkstone Drive, Harrisburg, PA 17112 (the “Property”).
2. On or about October 20, 2021, the Debtor executed a Deed of Trust, whereby the Debtor granted Bank of Clarke a deed of trust on the Real Property in the principal amount of two hundred and four thousand dollars (\$204,000.00). As set forth in Proof of Claim #14, filed herein, the amount owed on the petition date on the promissory note secured by the Deed of Trust was \$198,303.25, with interest and fees continuing to accrue. The payoff amount, good through August 21, 2024 is \$201,264.61, with interest and fees accruing beyond that date.
3. No payments have been received by Bank of Clarke on the promissory note secured by the Deed of Trust since March 12, 2024.
4. Bank of Clarke supports the Trustee’s sale of the Property in accordance with the terms of the Sales Contract (the “Contract”) attached to the Motion. Bank of Clarke acknowledges that the sales  
Hannah W. Hutman, VSB #79635  
Hoover Penrod, PLC  
342 S. Main Street  
Harrisonburg, VA 22801  
(540) 433-2444  
Counsel for Bank of Clarke

price set forth in the Contract would more than satisfy the debt owed in connection with the Deed of Trust. To that end, Bank of Clarke supports the Trustee's request for approval to sell the Property in accordance with the Contract, provided that Bank of Clarke is paid in full at closing. Bank of Clarke requests that any order entered in connection with the Motion provide for payment in full of the amount due and owing to Bank of Clarke on the debt secured by the Property through the date of closing.

WHEREFORE, Bank of Clarke, by counsel, supports the Chapter 7 Trustee's Motion to Approve Sale of 249 Berkstone Drive, Harrisburg, PA Free and Clear of Lis Pendens as set forth herein, and requests such other relief as may be appropriate.

**Dated: July 23, 2024**

**Respectfully Submitted,**

**BANK OF CLARKE**  
**By Counsel**

By: /s/ Hannah W. Hutman  
Hannah W. Hutman (VSB#79635)  
*hhutman@hooverpenrod.com*  
HOOVER PENROD PLC  
342 South Main Street  
Harrisonburg, Virginia 22801  
540/433-2444  
540/433-3916 (Facsimile)  
*Counsel Bank of Clarke*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of July, 2024, a true copy of the foregoing Response was electronically transmitted to parties receiving notice in this case via CM/ECF, including: Dylan G. Trache, counsel for H. Jason Gold, Chapter 7 Trustee, and the Office of the U.S. Trustee.

/s/ Hannah W. Hutman  
Hannah W. Hutman